

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

| | | |
|--------------------------|---|------------------------------------|
| JEREMY JASON HAAS, |) | ORDER DENYING MOTION FOR |
| |) | TEMPORARY RESTRAINING ORDER |
| Plaintiff, |) | |
| |) | Case No. 2:12-CV-1076 DN |
| v. |) | |
| |) | District Judge David Nuffer |
| THOMAS PATTERSON et al., |) | |
| |) | |
| Defendants. |) | |

The Court evaluates Plaintiff's motion for preliminary injunctive relief. Plaintiff appears to merely be trying to expedite the relief he seeks in his complaint. This type of injunction is disfavored by the law. *See SCFC ILC, Inc. v. Visa USA, Inc.*, 936 F.2d 1096, 1098-99 (10th Cir. 1991).

Further, Plaintiff has not specified adequate facts showing each of the four elements necessary to obtain a preliminary injunctive order:

"(1) a substantial likelihood of prevailing on the merits; (2) irreparable harm in the absence of the injunction; (3) proof that the threatened harm outweighs any damage the injunction may cause to the party opposing it; and (4) that the injunction, if issued, will not be adverse to the public interest."

Brown v. Callahan, 979 F. Supp. 1357, 1361 (D. Kan. 1997)

(quoting *Kan. Health Care Ass'n v. Kan. Dep't of Soc. and Rehab. Servs.*, 31 F.3d 1536, 1542 (10th Cir. 1994)).

Preliminary injunctive relief is an extraordinary and drastic remedy to be granted only when the right to relief is

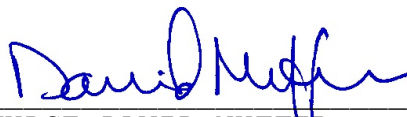
"clear and unequivocal." *SCFC ILC, Inc.*, 936 F.2d at 1098. The Court has carefully reviewed Plaintiff's pleadings and motions for injunctive relief and concludes Plaintiff's claims do not rise to such an elevated level that an emergency injunction is warranted. In sum, Plaintiff has not met the heightened pleading standard required in moving for an emergency injunction.

IT IS THEREFORE ORDERED that Plaintiff's motion for a preliminary injunction is DENIED. (See Docket Entry # 2.)

IT IS FURTHER ORDERED that Plaintiff's motion for hearing is DENIED. (See Docket Entry # 8.)

DATED this 7th day of March, 2013.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "David Nuffer", is written over a horizontal line.

JUDGE DAVID NUFFER
United States District Court